IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 28TH JUNE 2007 / 7TH ASHADHA 1929

WA.No. 188 of 2006()

AGAINST THE JUDGEMENT/ORDER IN OP.3393/1995 Dated 30/09/2005
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APPELLANT: RESPONDENT NO.2 IN OP

K.S.R.T.C., REP. BY ITS
MANAGING DIRECTOR, TRANSPORT BHAVAN,
EAST FORT, TRIVANDRUM.

BY ADV. SRI.T.RAVIKUMAR, SC, KSRTC
SHRI.JOHNSON P.JOHN, SC, KSRTC

RESPONDENTS: PETITIONER
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1. STATE OF KERALA,
REP. BY THE SECRETARY TO GOVERNMENT,
TRANSPORT DEPARTMENT, SECRETARIAT, TRIVANDRUM.

2. MR. K.NARAYANA PILLAI,
STORE KEEPER, CENTRAL WORKS, K.S.R.T.C.,
PAPPANAMCODE, TRIVANDRUM. (EXPIRED)

ADDL.RESPONDENTS
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3. C.KANAKAMMA
AGED 63 YEARS,
W/O LATE K.NARAYANA PILLAI,
THECKEMULAYAMKODU HOUSE,
THOTTAMPARA, KATAKKADA.

4. N.K.ANIL,
AGED 37 YEARS,
S/O.LATE NARAYANA PILLAI,
-DO-

5. N.K.SINDHU,
AGED 35 YEARS, W/O.K.SREEKUMAR (DAUGHTER),
-DO-.

6. M.K.MANOJ, AGED 33 YEARS,
S/O.NARAYANA PILLAI,
-DO-.

(ADDL RESPONDENTS 3 TO 6 ARE IMPLEADED AS PER ORDER DATED 4.12.2006 IN IA 861/2006).

BY ADV. SMT.JEENA JOSEPH
SRI.G.D.PANICKER FOR R3 TO 6
GOVERNMENT PLEADER SRI.SANDESH RAJA

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 28/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN & ANTONY DOMINIC, JJ.

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W.A. NO. 188 OF 2006

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Dated this the 28th day of June, 2007

J U D G M E N T

Radhakrishnan, J.

Counsel submits that 2nd respondent is no more and the only question remains now is with regard to the benefits due to the legal heirs of the 2nd respondent. In the peculiar facts and circumstances of this case, we find no reason to interfere with the discretion exercised by the learned Single Judge. The KSRTC would work out the monetary benefits due to the legal heirs of the deceased after following the statutory formalities and pass appropriate orders within three months from the date of receipt of this judgment.

Writ appeal is disposed of as above.

K.S.RADHAKRISHNAN, JUDGE.

ANTONY DOMINIC, JUDGE.

Rp